

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

HABIBOLLAH KERMANSHAH

SUMMONS IN A CIVIL ACTION

V.

ABBAS KERMANSHAH

CASE NUMBER: 08-cv-409

TO: (Name and address of Defendant)

ABBAS KERMANSHAH
305 EAST 24th STREET, APT. 4S
NEW YORK, NY 10010

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

N. ARI WEISBROT, ESQ.
PHILLIPS NIZER, LLP
COURT PLAZA NORTH
25 MAIN STREET, SUITE 601
HACKENSACK, NJ 07601

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

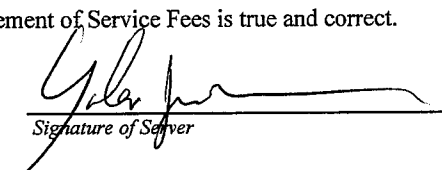

APR 21 2008

CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE JULY 10, 2008	
NAME OF SERVER (PRINT) YOLER JEAN-BAPTISTE	TITLE PROCESS SERVER	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: <input checked="" type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: FREDERICK "DOE" - DOORMAN (REFUSED TO REVEAL LAST NAME) <input type="checkbox"/> Returned unexecuted: <input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____  Signature of Server</p> <div style="display: flex; justify-content: space-between; align-items: flex-start; margin-top: 20px;"> <div style="width: 35%;">  DIANNE JUSTICE Notary Public, State of New York No. 01JU5048773 Qualified in Nassau County Commission Expires August 28, 2009 </div> <div style="width: 60%;"> 2132 WANTAGH AVE, WANTAGH, NY 11793 Address of Server </div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

COUNTY OF SOUTHERN

HABIBOLLAH KERMANSHAH

Petitioner (s)
Plaintiff (s)

- vs -

ABBAS KERMANSHAH

Defendant (s)
Respondent (s)PHILLIPS, WIZER, ETC
666 FIFTH AVENUE
NEW YORK, NY 10103

STATE OF NEW YORK: COUNTY OF NASSAU : SS:

YOLER JEAN-BAPTISTE

BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on July 10, XX2008 07:09 PM, at 305 E. 24TH ST, APT 4S, NEW YORK NY 10010

deponent served the within SUMMONS/FIRST AMENDED COMPLNT/INDEX#/FILE DTE on

ABBAS KERMANSHAH defendant therein named.

INDIVIDUAL

1 ☐

By Personally delivering to and leaving with said a true copy thereof,

and that he knew the person so served to be the person mentioned and described in said

☐ Defendant was identified by self admission and by the photograph furnished.

CORPORATION

2 ☐

By delivering to and leaving with at

, NY, and that he knew the person so served to be the managing/authorized agent of the corporation, and said person stated that he was authorized to accept service on behalf of the corporation.

Service was made in the following manner after your deponent was unable with due diligence to serve the defendant in person:

SUITABLE
AGE PERSON3 ☒

By delivering a true copy thereof to and leaving with FREDERICK "DOE" - DOORMAN, a person of suitable age and discretion at 305 E. 24TH ST, APT 4S, NEW YORK NY 10010, NY, the said premises being the defendants - respondents (dwelling place) (usual place of abode) (place of business) within the State of New York.

AFFIXING TO
DOOR, ETC.4 ☐

By affixing a true copy thereof to the door of said premises, the same being the defendant's (dwelling place) (usual place of abode) (place of business) within the State of New York.

SUMMONS/FIRST AMENDED COMPLNT
/INDEX#/FILE DTEMAILING
Use with 3 or 45 ☒

Deponent completed service under the last two sections by depositing a copy of the in a postpaid, properly addressed plain envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York, on July 10 XX2008 to the above address

PREVIOUS ATTEMPTS
Use with 46 ☐

Deponent had previously attempted to serve the above named defendant/respondent.

A DESCRIPTION OF THE DEFENDANT OR OTHER PERSON SERVED ON BEHALF OF THE DEFENDANT OR PERSON SPOKEN TO CONFIRMING NON MILITARY STATUS OF DEFENDANT IS AS FOLLOWS:

Approximate age 36-50 Approximate weight 161-200 Approximate height 5'9"-6'0" Sex M

Color of skin WHITE Color of hair BLACK Other

☒ Spoke with FREDERICK "DOE" 7/10/08

who confirmed non-military status of defendant.

Deponent asked the person spoken to whether the defendant was presently in the military service of the United States Government or on active duty in the military service in the State of New York and was informed he was not. Your deponent further says that he knew the person so served to be the person mentioned and described in said legal papers as defendant/respondent therein. Your deponent is over the age of 18 years and is not a party to this action.

Sworn to before me this

YOLER JEAN-BAPTISTE, Lic. # 657717

DIANNE JUSTICE
Notary Public, State of New York
No. 01JU5048773Qualified in Nassau County
Commission Expires August 28
2132 WANTAGH AVE. • P.O. BOX 1200 • WANTAGH, N.Y. 11793 • 516/221-2000

Interboro Attorney Service Corporation